

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

ORDER

It has come to the Court's attention that plaintiff's counsel has failed to comply with the dictates of Section 3 of the Uniform Scheduling Order entered by this Court on February 2, 2006. (Doc. # 9.) Section 3 requires counsel for the plaintiff to file a pleading titled "Notice Concerning Settlement Conference and Mediation" indicating whether settlement was reached at the face-to-face settlement conference, and if not, whether the parties believe mediation will assist them in resolving this case short of trial. Counsel for the plaintiff is required to submit the Notice Concerning Settlement Conference and Mediation within five days of the face-to-face settlement conference. Pursuant to the Uniform Scheduling Order the parties were to have conducted that face-to-face settlement conference no later than August 22, 2006. Hence, considering Rule 6 of the Federal Rules of Civil Procedure, the Notice Concerning Settlement Conference and Mediation should have been filed no later than August 28, 2006. As of this date, no Notice Concerning Settlement Conference and Mediation has been filed.

It is hereby ORDERED that:

- a. Plaintiff's counsel file the Notice Concerning Settlement Conference and Mediation by **September 13, 2006**.
- b. Plaintiff's counsel must show cause by **September 13, 2006**, why she failed to comply with the Uniform Scheduling Order in this case.

DONE this 5th day of September, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE